



Edward J. Kessler Jorge A. Goldstein David K.S. Cornwel Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael O. Lee Steven R. Ludwig John M. Covert Lawrence B. Bugaisky Donald J. Featherstone Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett T. Helvey Edward W. Yee Molly A. McCall Teresa U. Medlei Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Albert J. Fasulo II\* Eldora Ellison Floyd Brian I Del Buono

Virgil Lee Beaston\* Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Christine M. Lhuller Rae Lynn Prengaman Jane Shershenovich\* George S. Bardmesser Daniel A. Klein\* Rodney G. Maze Jason D. Eisenberg Michael A. Specht Andrea J. Kamage

Jon E. Wright\* LuAnne M. Yuricek

Registered Patent Agents • Karen R. Markowicz Nancy J. Leith
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd Mattnew J. Dowd Aaron L. Schwartz Angelique G. Uy Boris A. Matvenko Mary B. Tung Katrina Y. Pei Bryan L. Skelton Robert A. Schwartzman

Teresa A. Colella Jeffrey S. Lundgren Victoria S. Rutherfo

Samuel L. Fox Kenneth C. Bass III Lisa A. Dunne

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December 26, 2002

WRITER'S DIRECT NUMBER: (202) 371-2677 INTERNET ADDRESS: RSOKOHL@SKGF.COM

Art Unit 2631

Commissioner for Patents Washington, D.C. 20231

Re:

U.S. Utility Patent Application

Appl. No. 09/973,872; Filed: October 11, 2001

Efficiently Transmitting RTP Protocol In A Network

That Guarantees In Order Delivery Of Packets Inventor(s):

BUNN et al.

Our Ref:

1875.0670001

RECEIVED

DEC 2 7 2002

**Technology Center 2600** 

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;

2. Form PTO-1449 listing **THREE** (3) documents (1 page);

3. Copies of the THREE (3) cited document(s) as listed on Form PTO-1:449

4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert Sokohl Attorney for Applicant

Registration No. 36,013

RES/mjg **Enclosures** 

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Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BUNN et al.

Appl. No. 09/973,872

Filed: October 11, 2001

For:

Efficiently Transmitting RTP
Protocol In A Network That
Guarantees In Order Delivery Of

Juanumices in Order

**Packets** 

Commissioner for Patents

Washington, D.C. 20231

Confirmation No. 7049

Art Unit: 2631

Examiner: To Be Assigned

Atty. Docket: 1875.06700

DEC 3 1 2002

First Supplemental Information Disclosure Statement

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DEC 2 7 2002

**Technology Center 2600** 

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this **First** Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' **First** Information Disclosure Statement filed on **July 11, 2002** in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- □ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97((b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- □ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of

- a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- □ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- □ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- □ c. Attached is our PTO-2038 Credit Card Payment Form [OR] Check No.
  \_\_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37
  C.F.R. § 1.17(p).
- □ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. \_\_\_\_\_\_ in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- □ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- □ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ■5. The documents were cited in a International Preliminary Examination Report (IPER) issued by the U.S. International Preliminary Examining Authority in a counterpart International application. Submission of an English language version of the IPER that indicates the degree of relevance found by the U.S. PCT office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- □ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- □ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_\_\_, filed \_\_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed .

PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert Sokohl Attorney for Applicants Registration No. 36,013

1100 New York Avenue, N.W. Suite 600

Washington, D.C. 20005-3934

(202) 371-2600

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FORM PTO-1449

ATTY. DOCKET NO. 1875.0670001 APPLICATION NO. 09/973,872

APPLICANT: BUNN et al.

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EXAMINER						DATE CONSIDERED			
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.